IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.593 OF 2007

M/s.Kularia & Associates & Ors. ..Petitioners.

V/s.

The Union of India & Ors. ..Respondents.

Mr.Prakash Shah i/b. PDS Legal for petitioners.

Mrs.N.V.Masurkar for respondents.

CORAM : DR. S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 24TH JANUARY, 2007.

P.C. :-

Heard learned counsel for the petitioner and the respondent. Petitioner is challenging the order dated 9th June, 2002 passed by the CESTAT. The petitioner's contention is that the CESTAT vide order dated 13th July, 2005 / 25th August, 2005 in paragraph No.2.2 after setting aside the impugned order has remanded back the matter. The main grievance of the petitioner is that it should be clarified that all contentions in the matter shall be kept expressly open.

2. We make it clear that all contentions of both the sides are kept expressly open before the adjudicating authority.

3. Writ petition stands disposed of accordingly.

(DR.S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)